

APPLICATION FOR BRANCH BANK
submitted to the
ARKANSAS STATE BANK DEPARTMENT

By

Corporate Title of Applicant

Charter Number

Street Address

City

County

State

Zip Code

(hereinafter referred to as "**Applicant**")

hereby applies to the State Bank Commissioner for written consent for the establishment and maintenance of a full service branch bank to be operated at the following location:

Street Address

City

County

State

Zip Code

Will this branch location be operated under a different trade name than the corporate title of Applicant?

Yes ☐ No ☐

If the answer is Yes, then please provide the proposed trade name of the branch and complete the enclosed application for fictitious name. Please remain aware of the Interagency Statement on Branch Names, dated May 1, 1998, which details federal guidelines for depository institutions operating branches under different trade names.

Name, title, address, and telephone number of person(s) to whom inquiries concerning this application may be directed:

I hereby certify that the bank's board of directors has authorized the filing of this application and that to the best of my knowledge, it contains no misrepresentations or omissions of material facts.

Signature of Authorized Officer

Date of Application

Typed Name

Title

Telephone Number

AUTHORITY

A bank may establish one or more "full service branch" banks pursuant to the provisions of A.C.A. § 23-48-701, et seq - Branch offices.

FICTITIOUS NAME

Pursuant to A.C.A. § 23-48-309 – Names of state banks and subsidiary trust companies; “No state bank or subsidiary trust company shall conduct any business in this state under a fictitious name unless it first files with the Commissioner a form supplied or approved by the Commissioner giving the following information:

- a) The fictitious name under which business is being or will be conducted by the applicant corporation;
- b) A brief statement of the character of business to be conducted under the fictitious name;
- c) The corporate name, state of incorporation, and location (giving city and street address) of the registered office in the state of the applicant corporation.”

If it is Applicant’s intention to use a fictitious name, a separate “Application for Fictitious Name” must be completed.

See Attachment – **Application for Fictitious Name**

PROCEDURES

An application received by the State Bank Department (hereinafter "Department") will be reviewed for legality and receipt of all requested documentation prior to filing. Applicant will be notified in writing of the filing of the application.

Notice Published by Applicant: Notice of intent to file an application must appear in a newspaper of statewide circulation one time at or prior to the actual filing of the application with the Bank Commissioner. Evidence of such publication of notice must accompany the application.

Federal publication requirements for a branch application provide that the notice shall be published once in a newspaper of general circulation in the community or communities in which the home office and the proposed branch are located. Evidence of notice must accompany the application. The application should be submitted to the appropriate area director (DOS) on the date the notice is published, or within 5 days after the last required publication.

Fee: Applicant shall submit to the Department a non-refundable filing fee of \$3,000 for the establishment of a new branch office.

Written Decision: The Bank Commissioner's decision on a branch bank application will be in the form of a final findings of fact, conclusion of law and an order given by the Commissioner within a reasonable time period **following the expiration of the fifteen (15) calendar day formal protest period.**

Appeal of Decision: Following adoption of the Commissioner’s official findings of fact, conclusions of law, and order, an applicant or official protestant shall have thirty (30) days in which to appeal the Commissioner’s order to the appropriate circuit court.

SUPPORTING INFORMATION/DOCUMENTATION

Applicant must submit the following information and/or documentation in support of the application to establish a full service branch bank. Please number responses to correspond with the following:

1) A certified copy of a Board Resolution or minutes of the meeting of the board at which a motion was passed authorizing the establishment of the proposed branch. The Board Resolution must specify an authorized expenditure amount, which includes all fixed asset expenditures associated with establishment of the branch office.

See Attachment - **Resolution of the Board of Directors**

2) Arkansas Bank Department Rules and Regulations require publication in a newspaper of statewide circulation. Federal publication requirements for a branch application provide that the notice shall be published once in a newspaper of general circulation in the community or communities in which the home office and the proposed branch are located. Provide the name(s) and address(es) and the date of publication in the appropriate newspaper(s). Additionally, evidence of such publication of notice must accompany this application.

See Attachment - **Legal Notice**

3) A brief legal description of any property to be acquired along with a physical description of any structures to be acquired or constructed along with an itemized schedule of costs (submit a copy of any option-to-purchase executed by the bank or its representative and a copy of the proposed contract or estimate of costs to be incurred with the establishment of the proposed branch).

See Attachment - **Fixed Asset Expenditures**

4) Provide evidence that management has assessed environmental risks (existing and/or potential contamination and anticipated clean up costs) associated with the property to be acquired.

5) Provide a copy of any proposed lease(s) of any property or assets associated with the establishment of the proposed branch.

6) An itemized list of all equipment, furniture, fixtures, vault, etc., to be acquired. (The bank, in establishing this new office, must develop external security procedures and install security devices in compliance with applicable federal statutes and regulations).

7) Details concerning any involvement, directly or indirectly, by an insider (executive officers, directors, or shareholders who directly or indirectly control five (5) percent or more of any class of outstanding voting stock) of the bank or bank holding company (if applicable) or their immediate family or related interests. Provide the following information regarding any financial arrangements relating to fees, the acquisition of property, leasing of property, and construction contracts:

- a) name of individual or related interest and relationship to Applicant;
- b) information to reflect that terms and conditions are not more favorable, for seller/lessor, than would be available in a comparable transaction with an unrelated party (information should include the fair market value or appraised value of any property, building, fixtures, equipment, etc., to be acquired and comparative sales information).

- 8) Address the following:
- a) discuss why management proposes to establish the branch office;
 - b) discuss how the proposed office complies with Applicant's written strategic plan;
 - c) identify services to be offered to support consumer needs.
- 9) Submit the following information:
- a) a projected budget and pro forma balance sheet of the bank for a three year period from the date the proposed branch is to be placed into operation;
 - b) a separate budget, income and expense categories listed separately for the branch office for a three year period;
 - c) provide interest rate assumptions. Also, identify the number of employees required to operate the branch office and what positions will be maintained.
 - d) Schedule of loans and deposits for the proposed branch for each of the three years. Note the amount of existing loans and deposits included in the projections.
 - e) Identify the number of projected break-even point (deposit level). If additional capital is anticipated, submit the proposed capital plan.
- 10) Discuss the impact of the proposed branch on the human environment, specifically, information on compliance with local zoning laws and regulations and the effect on traffic patterns.
- 11) Unless the proposed location is in an established commercial shopping center, the applicant must submit a statement to the FDIC to indicate whether or not the site is included or is eligible for inclusion in the National Register of Historic Places, including evidence that clearance has been obtained from the State Historic Preservation Officer (SHPO). For obtaining such clearance, the enclosed form "Request for Cultural Resource Assessment" must be completed, signed and forwarded direct to the SHPO. Please forward the completed form to the FDIC. Respond "Not Applicable" if applicant is a Federal Reserve member bank.

See Attachment - **State Historic Preservation Information**

- 12) If the proposed branch is to be located in an unincorporated or rural area, explain the provisions made for police and fire protection, electrical service, water and sewer service, etc.
- 13) State the anticipated date the proposed branch is to be opened for business.

RESOLUTION OF THE BOARD OF DIRECTORS

The Board of Directors of the Applicant Bank at a meeting duly called and held on _____ adopted the following Resolution: _____ Date

WHEREAS, it is the sense of this meeting that application should be made on behalf of this bank to the State Bank Commissioner and to the _____

(Federal Deposit Insurance Corporation/Federal Reserve)

for written consent to establish a branch at

_____, _____ Arkansas
Street Address City or Town State

in accordance with provisions of **State and Federal laws and banking regulations;**

NOW, THEREFORE, IT IS RESOLVED, that the President or Vice President and the Cashier or Secretary of this bank are hereby authorized and directed to make application on behalf of this bank to the State Bank Commissioner and to the _____

(Federal Deposit Insurance Corporation/Federal Reserve)

to establish a branch at:

_____, _____
Street Address City or Town County

and to submit in connection therewith information on the several factors enumerated in State and Federal statutes and to provide such assurances as may be required for the purpose of inducing the State Bank Commissioner and the Board of Directors of the _____

(Federal Deposit Insurance Corporation/Federal Reserve)

to grant written consent to the establishment of a branch as indicated in this Resolution. The Board of Directors of the Applicant Bank hereby authorize expenditures up to \$_____ for the establishment of the proposed office. Additional expenditures above the approved amount must have the prior approval of the Board of Directors.

The above Resolution has not been rescinded or modified and has been duly entered in the minutes book of the Applicant Bank. Application is made, hereby.

Name and Location of Applicant Bank

Signature of President or Vice President Date

Attest (Cashier or Secretary) Date

Seal

LEGAL NOTICE
(for FDIC member banks)

Notice is hereby given that the *(name and location of applicant)* has made application to the Federal Deposit Insurance Corporation and the Arkansas State Bank Department for *(subject matter of application, including the specific location)*.

Any person wishing to comment on this application may file his or her comments in writing with the Area Director (DOS) of the Federal Deposit Insurance Corporation at its Area Office at 5100 Poplar Avenue, Suite 1900, Memphis, Tennessee 38137, not later than *(insert the date 15 days after the publication date)*. The nonconfidential portions of the application are on file in the Area Office and are available for public inspection during regular business hours. Photocopies of information in the nonconfidential portion of the application will be made available upon request.

Any person desiring to comment on this application to the Arkansas State Bank Department may do so by filing his or her comments in writing to the State Bank Commissioner at the office of the department, 400 Hardin Road, Suite 100, Little Rock, Arkansas 72211. Written comments, including any formal protests, concerning this application must be received in the Arkansas State Bank Department no later than 15 days following the date of actual filing of the application.

This notice is published pursuant to Part 303.7 of the Rules and Regulations of the Federal Deposit Insurance Corporation and The Arkansas Banking Code of 1997.

EXAMPLE OF LEGAL NOTICE

NOTE: Federal Reserve member banks are required to publish separate legal notices for the Federal Reserve and the State Bank Department

(for Federal Reserve member banks)

(Name and location of main office) intends to apply to the Federal Reserve Board for the establishment of a full service branch located at: *(branch address, city, county, state)*. The Federal Reserve considers a number of factors in deciding whether to approve the application including the record of performance of banks we own in helping to meet local credit needs.

You are invited to submit comments in writing regarding this application to the Federal Reserve Bank of St. Louis, P.O. Box 442, St. Louis, Missouri 63166. The comment period will not end before *(date - must be not less than 30 days from date of notice)* and may be somewhat longer. The Board's procedures for processing applications may be found at 12 C.F.R. Part 262. Procedures for processing protested applications may be found at 12 C.F.R. § 262.25. To obtain a copy of the Board's procedures or if you need more information about how to submit your comments on the application contact Vice President Randall C. Sumner (314) 444-8644. The Federal Reserve will consider your comments and any request for public meeting or formal hearing on the application if they are received by the Reserve Bank on or before the last date of the comment period.

This notice is published pursuant to the Federal Reserve Act.

(for the Arkansas State Bank Department)

Notice is hereby given that *(name and location of applicant)* has made application to the Arkansas State Bank Department for *(subject matter of application, including the specific location)*.

Any person desiring to comment on this application to the Arkansas State Bank Department may do so by filing his or her comments in writing to the State Bank Commissioner at the office of the department, 400 Hardin Road, Suite 100, Little Rock, Arkansas 72211. Written comments, including any formal protests, concerning this application must be received in the Arkansas State Bank Department no later than 15 days following the date of the actual filing of the application.

This notice is published pursuant to The Arkansas Banking Code of 1997.

FIXED ASSET EXPENDITURES

PERMANENT QUARTERS ANTICIPATED

Give brief physical description of structures to be acquired or constructed, including square footage, number of offices, number of teller windows, etc. Also, include legal description of property.

Circle One	Owned	Leased	Total Cost
IF OWNED	Land Building Furniture and Equipment TOTAL FIXED ASSET EXPENDITURE		
IF LEASED	Leasehold Improvements Furniture and Equipment TOTAL FIXED ASSET EXPENDITURE		

Additional comments:

**FIXED ASSET EXPENDITURES
TEMPORARY QUARTERS**

Are temporary quarters anticipated: ☐ Yes ☐ No
If yes, complete the following:

STREET ADDRESS	DIRECTION AND DISTANCE FROM PERMANENT QUARTERS
	MONTHLY RENTAL OR COST (SPECIFY)

Brief physical description of structures to be acquired or constructed, including square footage, number of offices, number of teller windows, etc. Also, include legal description of property.

State of Arkansas
ARKANSAS STATE BANK DEPARTMENT

APPLICATION FOR FICTITIOUS NAME

To: Frank White
Bank Commissioner
Arkansas State Bank Department
400 Hardin Road, Suite 100
Little Rock, Arkansas 72211-3502

Pursuant to the provisions of The Arkansas Banking Code of 1997, the undersigned applicant hereby applies for the use of a fictitious name and submits herewith the following statements:

1. The name of the applicant and its date of qualification in Arkansas:

2. The home state of applicant:

3. The fictitious name under which business is being or will be conducted by the applicant entity:

4. The character of the business to be conducted under such fictitious name is:

1. The location (street address and city) of the registered office of applicant in Arkansas is:

Street _____

City _____ Zip Code _____

Signature _____

Chairman of the Board, President or other officers (If directors have not been selected, the incorporator may execute)

Address: _____

INSTRUCTIONS:

Prepare this form in duplicate and send to the Arkansas State Bank Department, Little Rock, Arkansas. The duplicate bearing the file marks of the Commissioner will be returned to the state bank, registered out-of-state bank or subsidiary trust company. A.C.A. § 23-48-309

Fee: \$25.00

STATE HISTORIC PRESERVATION INFORMATION

FOR USE BY STATE HISTORIC
PRESERVATION OFFICER

RECEIVED : _____
CH# : _____
N/E : _____
SURVEY : _____

MAIL COMPLETED FORM TO:

STATE HISTORIC PRESERVATION OFFICER
ARKANSAS HISTORIC PRESERVATION
1500 TOWER BUILDING
323 CENTER STREET
LITTLE ROCK, ARKANSAS 72201
501-324-9880

REQUEST FOR CULTURAL RESOURCE ASSESSMENT

I. Applicant _____ County of project _____
Applicant's address _____ City _____ Zip _____
Contact person _____ Telephone _____
Contact person's address, if different from applicant's
Street/P.O. Box _____ City _____ Zip _____

If applicant is not a federal agency, to which federal agency is applicant applying:

Federal Program:

Circle type of assistance sought:
Grant **Loan** **Other**

Signature of applicant or contact person requesting this assessment

Date

II. 1. Briefly describe this project:

If program involves more than one project/activity, complete separate assessment for each one.

2. Has the identical project been previously submitted for cultural resource assessment? Yes No
3. Project Location
- a. Attach a county, city, or USGS quadmap indicating the precise location of the project and the acreage involved. If program involves more than one project/activity, one map, indicating all projects, is sufficient.
- b. how many acres are in the project area? acres
- c. If the project is outside city limits, give a quarter-by quarter section, township, and range description (not necessary if the project map contains the information).
-
4. To your knowledge has a cultural resources survey been conducted in the project area? Yes No
If **YES**, attach survey report.
5. a. Will the project involve an addition to or destruction, alteration, or renovation of any structure? (If **NO**, proceed to item 6) Yes No
- b. Was affected structure built before World War II? (If **NO**, proceed to item 6) Yes No
- c. Who owns the structure? _____
- d. What was the approximate date of construction? _____
- e. Attach snapshots of front and rear elevations; another snapshot should indicate the location of any proposed addition/alteration.
- f. Have plans and specifications for the renovation, alteration, or addition been completed? Yes No
- g. Attach plans. (Plans for a new structure to replace a demolished one should not be attached.)
6. a. Will construction take place adjacent to any structure which is approximately fifty years old or older (If **NO**, proceed to item 7)? Yes No
- b. Give address of structure(s), and, if known, owner's name and telephone.
-
- c. Give approximate construction date of structure(s)
-
- d. Attach snapshot of structure(s) and on project map indicate its location in relation to the project.

7. Has the ground at the project location been previously developed, graded, or disturbed (other than in connection with any structure described in item 5)? Yes No

If **YES**, describe disturbed/developed portion (graded, farmed, etc.) and indicate on project map.

8. a. Will this project necessitate the acquisition of fill material? Yes No
If **NO**, proceed to item 9.

b. Approximately how many cubic yards of material will be acquired? cu. yd.

- c. Has the site from which material will be acquired been selected? Yes No
If **NO**, proceed to item 9

d. Indicate borrow area(s) on project map and **GIVE APPROXIMATE ACREAGE** of each borrow site.

- e. Has material been taken from the borrow area(s) for other projects? Yes No

9. a. Does this project involve road/street construction? Yes No
If **NO**, proceed to item 10.

b. Give special attention to item 6 **AND** indicate on project map each:

1. New right-of-way
2. New street/road construction
3. Street/road to be overlaid
4. Street/road to be widened

10. Will this project affect any property which is of apparent educational or scientific interest? Yes No

If **YES**, describe the interest (geological, biological, etc.)

11. Describe the present use and condition of the property:

12. If necessary, elaborate on the above questions, and/or include any additional information which you think would be helpful in the review of this project.
